

1 KEVIN V. RYAN (CSBN 118321)
2 United States Attorney
3 Attorney for Plaintiff
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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11 UNITED STATES OF AMERICA.

12 Plaintiff.

13 v.

14 SHAWN WEBB FITZGERALD.

15 Defendant.

CR No. 02 0406
VIOLATIONS: 18 U.S.C. § 1708 -
) Possession of Stolen Mail; 18 U.S.C. §
) 1029(a)(3) - Unlawful Possession of Access
) Devices; 18 U.S.C. § 1029(a)(5) - Illegal
) Transactions with Access Devices; 18
) U.S.C. § 1704 - Possession of Counterfeit
) Mail Keys
)
16 SAN FRANCISCO VENUE

17 INDICTMENT

18 The Grand Jury charges:

19 COUNT ONE: (18 U.S.C. § 1708 - Possession of Stolen Mail)

20 Between on or about December 1, 2001 and April 18, 2002, in the Northern District of
21 California, the defendant

22 SHAWN WEBB FITZGERALD

23 did unlawfully have in his possession approximately seven thousand (7,000) articles of U.S. mail
24 which were letters, postal cards, packages and parcels and articles and things contained therein,
25 which had been stolen from and out of United States mail boxes, knowing the same to have been
26 stolen; in violation of Title 18, United States Code, Section 1708.

27 COUNT TWO: (18 U.S.C. § 1029(a)(3) - Unlawful Possession of Access Devices)

28 Between on or about December 1, 2001 and April 18, 2002, in the Northern District of

INDICTMENT

1 California, the defendant

2 SHAWN WEBB FITZGERALD

3 did knowingly and with intent to defraud possess fifteen or more devices, which were counterfeit
4 and unauthorized access devices, as defined in 18 U.S.C. § 1029(e)(1), (2) and (3), which
5 possession affected interstate and foreign commerce; in violation of Title 18, United States
6 Code, Section 1029(a)(3).

7 COUNT THREE : (18 U.S.C. § 1029(a)(5) - Illegal Transactions
8 with Access Devices)

9 On or about the dates below, in the Northern District of California, the defendant

10 SHAWN WEBB FITZGERALD

11 did knowingly and with intent to defraud effect the transactions listed below with one or more
12 access devices issued to other persons, to receive payments and things of value during any one
13 year period, the aggregate value of which was equal to or greater than \$1,000, to wit \$1,091.38
14 from Citibank Mastercard No. 5424-1801-7472-6411 on 2/27/02 and \$1,264.61 from Citibank
Mastercard No. 5424-1801-7472-6411 on 3/14/02.

15 All in violation of Title 18, United States Code, Section 1029(a)(5).

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INDICTMENT

1 COUNT FOUR: (18 U.S.C. § 1704 - Possession of Counterfeit Mail Keys)

2 On or about April 18, 2002, in the Northern District of California, the defendant

3 SHAWN WEBB FITZGERALD

4 did knowingly possess unlawfully made, forged, and counterfeited keys suited to locks on
5 authorized receptacles for the deposit and delivery of mail mater, with the intent unlawfully and
6 improperly to use, sell, and otherwise dispose of said keys; in violation of Title 18, United States
7 Code, Section 1704.

8 DATED: December __, 2002

A TRUE BILL

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FOREPERSON

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11 KEVIN V. RYAN
United States Attorney

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13 CHARLES B. BURCH
Chief, Criminal Division

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15 (Approved as to form: AUSA A.C. Massullo)
16 AUSA A.C. Massullo

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INDICTMENT